

**CITY OF EASTPORT  
CITY COUNCIL MEETING  
WEDNESDAY, DECEMBER 10<sup>th</sup>, 2014  
SHEAD HIGH SCHOOL - LIBRARY - 6:00 P.M.**

**REGULAR COUNCIL MEETING - 6:00 P.M.**

**Those in Attendance:** Councilor Roscoe Archer, Councilor Colleen Dana-Cummings, Councilor Scott Emery, Councilor Gilbert Murphy, and Council President, Mary Repole. Also present were Interim City Manager, Elaine Abbott; Legal Counsel, Dennis Mahar; and City Clerk, Ella Kowal.

**Audience Attendance:** Chris Gardner, Elizabeth Hastings-Rener, Jan Finley, Dean Pike, Peter Repole, Greg Golding, Meg McGarvey, Ken Brown, Kathryn Lewis, Anne and David Stanley, Steve Trieber, Steve Glatfelter, Denise Cassidy, Ken Brown, Michael Morse, Cynthia Morse, Lora Whelan, Traci Calder, Jon Calame, Bob DelPapa, Bob Lewis, and Jim Guertin.

- I. CALL TO ORDER** - Council President calls the meeting to order at 6:00 p.m.
- II. PUBLIC HEARING(S)** - THERE WERE NONE
- III. ACTION ON PUBLIC HEARING(S)** - NOT APPLICABLE/THERE WERE NONE
- IV. DEPARTMENT REPORTS**

**MOTION** MURPHY **SECOND** ARCHER **PASSED** (5-0)  
To accept the Financial Report; Code Enforcement Report; Police Department Report; Public Works Report; and the Sewer Report for the month of November, 2014 as submitted.

**V. OPEN PUBLIC FORUM**

Port Director, Chris Gardner, gave an update on the collapse of the breakwater and also extends a thank you to everyone involved in assisting the Port. He offers up to the City an opportunity for discussion on negotiations with regard to the City's need for a sander.

Elaine Abbott, Interim City Manager, updates Council that she has spoken with Terry Ann Stevens with CDBG to inquire of any grants that may be of assistance to help in the rebuild of the breakwater. They believe consideration could be a possibility to a \$1,000,000 infrastructure grant but requires that the community is made up of 51% or more low-to-moderate income households. However, an American Homes survey

reflects that the City is .23% short of this requirement. Thus, to qualify for such a grant; we will need to show that we fall into that bracket of low-to-moderate income. She informs Council that WCCOG and SCEC are working together to prepare for such a survey and that everyone will get a letter but only half of the number of households will be surveyed and that it will take place the week of Christmas to possibly the first week of January. All measures are being taken to reassure the community that it is not a scam and that it is important to complete the survey as there is a deadline for submission to the government by January 16<sup>th</sup>. Further information is available at City Hall.

**VI. ADJUSTMENTS TO AGENDA - THERE WERE NONE**

**VII. MINUTES OF PREVIOUS MEETING(s)**

**MOTION** MURPHY **SECOND** ARCHER **PASSED (5-0)**  
To accept and approve the Council minutes of November 12, 2014; November 21, 2014; and November 25, 2014.

**VIII. UNFINISHED BUSINESS**

**A) LOCAL HEALTH OFFICER**

**MOTION** ARCHER **SECOND** MURPHY **PASSED (5-0)**  
To table.

**B) MICROLOAN PROGRAM**

**MOTION** MURPHY **SECOND** ARCHER **PASSED (5-0)**  
To table.

**C) AMENDMENT TO THE CITY'S USE AND SALE OF FIREWORKS ORDINANCE**

**MOTION** MURPHY **SECOND** EMERY **PASSED (5-0)**  
To move this down to Item X of the agenda for discussion of scheduling a public hearing.

**D) APPOINTMENT OF AUDITOR**

**MOTION** MURPHY **SECOND** EMERY **PASSED (5-0)**  
To table for discussion in Executive Session.

**E) VOTE on TRANSFER of MONEY from SEWER to REPAY MATCHING FUNDS**

**MOTION** MURPHY **SECOND** EMERY **PASSED (4-1)**  
Dana-Cummings "NO"  
To table for discussion in Executive Session.

**F) COUNCIL APPROVAL to ACCEPT FUNDS of \$25,00 from MILLENNIUM MARINE**

**MOTION** ARCHER **SECOND** MURPHY **PASSED (4-1)**  
Dana-Cummings “NO”

To table for discussion in Executive Session.

**IX. NEW BUSINESS**

**a) Opening & Acceptance of Sewer Tractor Bid**

Council President acknowledges two bids received, one from Jerry Blackburn for \$710.00 and the other from Chris Gardner for \$1,021.21.

**MOTION** MURPHY **SECOND** ARCHER **PASSED 5-0**  
To accept and award bid of the Sewer Tractor to the highest bidder, Chris Gardner, in the amount of \$1,021.21.

**b) Chamber of Commerce Liquor License for Civic Event/Christmas Social**

**MOTION** MURPHY **SECOND** EMERY **PASSED 5-0**  
To approve and authorize the signing of a liquor license application for the Chamber's Christmas Social event to take place at the new Port Office on December 31<sup>st</sup>.

**c) Appointment of Registrar of Voters (2-Year Term) – Per State Regulations**

**MOTION** MURPHY **SECOND** ARCHER **PASSED 5-0**  
To approve the appointment of Ella Kowal as Registrar of Voters for a two-year term.

**d) December 26<sup>th</sup>, 2014**

**MOTION** DANA-CUMMINGS **SECOND** MURPHY **PASSED 5-0**  
To approve City employees taking the day after Christmas off in lieu of using their vacation time and that the Interim City Manager has graciously offered to keep City Hall open as she will be in the office anyhow.

**e) 22 Washington Street (former A&P Building)**

**MOTION** DANA-CUMMINGS **SECOND** MURPHY **PASSED 5-0**  
To authorize an appraisal to be done on the former A&P building at 22 Washington Street.

**f) Letter of Resignation (Public Works Director)**

**MOTION** MURPHY **SECOND** EMERY **PASSED 5-0**  
To accept the resignation of Richard Quint, Jr. as Public Works Director.

**g) RFQ's for City Repairs Under \$1,000**

**MOTION** DANA-CUMMINGS **SECOND** ARCHER **PASSED** 4-1  
MURPHY - "ABSTAINED"

To authorize the Interim City Manager to place an ad for RFQ's for City repairs under \$1,000.

**h) Sand Spreader for Plow Truck - \$1,500 (Public Works Dept.)**

**MOTION** MURPHY **SECOND** EMERY **PASSED** 5-0

To authorize the purchase of a Sand Spreader not to exceed \$1,500.00

**i) Tires - \$3,600 (Public Works Dept.)**

**MOTION** MURPHY **SECOND** EMERY **PASSED** 5-0

To authorize the purchase of tires not to exceed \$3,600.00.

**j) Recycling – Returnables of Bottles & Cans**

**MOTION** MURPHY **SECOND** ARCHER **PASSED** 5-0

To authorize the Treasurer to set up a line item under Revenue for recycling to receive recycling monies and to also set up a line item under expenses for recycling to pay for recycling expenses.

**k) City Manager Search**

**MOTION** MURPHY **SECOND** EMERY **PASSED** 5-0

To table for discussion in Executive Session.

**X. SCHEDULING of PUBLIC HEARINGS(s) – if applicable**

**MOTION** MURPHY **SECOND** EMERY **PASSED** 5-0

To approve the scheduling of Public Hearings to take place on January 14<sup>th</sup>, 2015 for the following:

*Amendment to the City's Use and Sale of Fireworks Ordinance*

*New Liquor License Application for Wolfer, LLC d/b/a Jim's Grill & Tavern*

*New Special Entertainment License for Wolfer, LLC d/b/a Jim's Grill & Tavern*

*New Victualer License for Wolfer, LLC d/b/a Jim's Grill & Tavern*

*Renewal of a Liquor License Application for Jeff & Leslie Starling d/b/a Happy Crab*

*Renewal of a Special Entertainment License for Jeff & Leslie Starling d/b/a Happy Crab*

## **XI. REPORTS**

### **1) Interim City Manager**

**MOTION** MURPHY **SECOND** Dana-Cummings **PASSED** 4-1  
ARCHER "NO"

To approve and accept the Interim City Manager's report for November, 2014.

### **2) Boards & Committees (Planning Board; Zoning Board; Historic Review; Airport; Harbor; Downtown; Charter Committee; Port; Energy Committee; Ordinance Review; Park & Recreation; Recycling Committee, & FY16 Budget)**

**MOTION** MURPHY **SECOND** ARCHER **PASSED** 5-0  
To approve and accept the Boards and Committee Reports as presented by their respective Chair members.

### **3) Council • Ambulance • Marion Transfer Station**

**MOTION** ARCHER **SECOND** EMERY **PASSED** 5-0  
To approve and accept the Ambulance and Marion Transfer Station reports as presented by Councilor Murphy.

## **XII. COUNCIL ISSUES**

Councilor Murphy takes a moment to thank Scott Emery for being on the Council.

## **XII. EXECUTIVE SESSION**

**MOTION** ARCHER **SECOND** MURPHY **PASSED** 5-0 TIME: 7:39 P.M.  
To *go into* Executive Session under Title 1 M.R.S.A. § 405(6)(A) to discuss Personnel Matters and also under Title 1 M.R.S.A. § 405(6)(C) for discussion of Real Property or Economic Development and under Title 1 M.R.S.A. § 405(6)(E) on Consultation with Legal Counsel as well as under Title 1 M.R.S.A. § for Labor Negotiations.

**MOTION** EMERY **SECOND** ARCHER **PASSED** 5-0 TIME (8:55 P.M.)  
To *come out* of Executive Session.

## **XIII. ACTION from EXECUTIVE SESSION (if any)**

**MOTION** EMERY **SECOND** ARCHER **PASSED** 4-1  
MURPHY "NO"

To accept the agreement for Howie Johnson of the Public Works Department as submitted to also have it signed by the City's Legal Counsel, Dennis Mahar.

**MOTION** MURPHY **SECOND** EMERY **PASSED** 5-0  
To accept the Letter of Resignation from the City's Auditor, Doug Hollingsworth & Associates.

**MOTION** ARCHER                      **SECOND** DANA-CUMMINGS    **PASSED**    5-0  
To put the \$25,000 from Corey Guimond/Millienium Marine back into the Mill account.

**MOTION** MURPHY                      **SECOND** ARCHER    **PASSED**    5-0  
To table the matter of transferring money from the Sewer account to the City account to repay matching funds (as referenced in Item VIII(e) of the agenda until further information is brought forward.

**MOTION** MURPHY                      **SECOND** ARCHER    **PASSED**    5-0  
To accept and authorize the payment agreement brought forward by Donald Rice of 51 Boynton Street to pay \$500.00 the week of 12/15/2014 and the remaining balance of \$1,106.48 plus interest to be paid in two installments. One in January, 2015 and the balance to be paid in full in February, 2015 with the understanding that a Quitclaim Deed cannot be issued until all taxes are paid.

**MOTION** MURPHY                      **SECOND** EMERY    **PASSED**    5-0  
To grant an extension to James Guertin for payment of his 2013 real estate taxes on tax account #1226 to be paid in full by end of July, 2015 with the understanding that the City cannot provide a Quitclaim Deed back to him until payment in full is received for everything due the City on said property.

**MOTION** ARCHER                      **SECOND** MURPHY    **PASSED**    5-0  
To table the matter of 21 Middle Street at this time.

**MOTION** DANA-CUMMINGS    **SECOND** EMERY    **PASSED**    5-0  
To offer Elaine Abbott the position of City Manager with a six-month probationary period with a hiring package to be negotiated and they also request that she come back with suggestions on filling the Sewer position and how to go about it.

#### **XIV. ADJOURN**

**MOTION**    ARCHER                      **SECOND**    EMERY                      **PASSED**    5-0    **TIME (9:10 P.M.)**  
To adjourn.